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REGULATION

of ultralight aircraft

I. GENERAL PROVISIONS

Article 1

(Scope)

This Regulation defines the term ultralight aircraft, the division of ultralight aircraft, the conditions of their use, maintenance and construction, the requirements concerning their entry to the register of ultralight aircraft and the ability to fly, markings and notification of restrictions on the ultralight aircraft, the minimum equipment of a ultralight aircraft, pilot and other persons and the conditions that apply to training, examinations, permits and authorisation of the pilots on the ultralight aircraft.

Article 3

(The definition and division of ultralight aircraft)

- (1) Ultralight aircraft (hereinafter referred to as the »aircraft«) is an aircraft of a special category, with or without engine drive, that uses 2 or 3-Axis control system to navigate in the air, with rudder movement or weight shift or combination of both and no aircraft type homologation shall be required for its use.
- (2) Aircraft are single-seater or two-seater vehicles, with or without a pilot and are divided into the following types:
 1. Ultralight powered aeroplanes,
 2. Ultralight helicopters,
 3. Ultralight gyroplanes,
 4. Powered parachutes,
 5. Powered hang gliders,
 6. Ultralight gliders,
 7. Unmanned aircraft and
 8. Other similar aircraft.
- (3) Previous paragraph applies to aircraft that have not obtained type certificate or airworthiness certificate or permit to fly on the basis of the Regulation (EC) No 216/2008 of the European

Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC and the implementing regulations relating thereto, and are falling in one of the categories set out below:

- a) Aeroplanes, helicopters and powered parachutes having no more than two seats, and maximum take-off weight (MTOW), of no more than:
 - 300 kg for a land plane/helicopter single-seater, or
 - 450 kg for a land plane/helicopter two-seater, or
 - 330 kg for an amphibian or floatplane/helicopter single-seater, or
 - 495 kg for an amphibian or floatplane/helicopter two-seater, provided that where operating both as a floatplane/helicopter and as a land plane/helicopter it falls below both MTOW limits, as appropriate, or
 - 472,5 kg for a land plane, two-seater equipped with an airframe mounted total recovery parachute system, or
 - 315 kg for a land plane, single-seater equipped with an airframe mounted total recovery parachute system,and for aeroplanes having the stall speed or the maximum steady flight speed in landing configuration not exceeding 35 knots calibrated air speed (CAS);
 - b) single and two-seater gyroplanes with a maximum take-off weight not exceeding 560 kg;
 - c) powered hang gliders with or without an undercarriage and hang gliders equipped with engine;
 - d) gliders with a maximum empty mass of no more than 80 kg when single-seater or 100 kg when two-seater, including those which are foot launched;
 - e) unmanned aircraft with an operating mass of no more than 150 kg, excluding replicas, that do not endanger flight safety;
 - f) any other aircraft which has a maximum empty mass, including fuel, of no more than 70 kg.
- 4) Gliders with an auxiliary engine falling under one of the categories listed in Article a) of the previous paragraph.

II. CONDITIONS OF USE AND MAINTENANCE OF AN AIRCRAFT

Article 4

(General)

Aircraft may be used for flying only if:

- it is registered in the aircraft register or other appropriate records of aircraft,
- it meets conditions for safe flight and has a valid flight permit,
- it has a liability insurance established,
- the pilot or the person managing the aircraft has a required licence and
- it meets other conditions laid down by flight rules (IFR/VFR).

Article 5

(Purpose)

- (1) Aircraft may be used for sport and recreational flying, for pilot training, aerial work as laid down in ICAO Manual on Aerial Work (ICAO Doc. 9408) and advertising. Use of the aircraft for transport of passengers, goods and/or mail against payment or compensation is not permitted.
- (2) Aircraft may be used only in accordance with the purpose of use of the aircraft that is listed in the flight permit, referred to in Article 24* of this Regulation.

* Article 24 refers to documents regarding establishing aircraft ability to fly such as Airworthiness certificate, Aircraft Permit to Fly, Flight Permit, etc.

Article 6

(Airports and aerodromes)

Aircraft take-off and land on airports and aerodromes that are appropriate for individual types of aircraft in accordance with the airport or aerodrome operating manual.

Article 7

(Flight rules, noise, restrictions)

- (1) Aircraft may fly in the airspace of the Republic of Slovenia in accordance with the regulations governing flights of aircraft.
- (2) Aircraft may fly only within time period from half an hour prior to the sunrise to half an hour after the sunset, if the conditions for visual flight rules (VFR) are fulfilled.
- (3) Noise emitted by powered aircraft, when flying full power at 300 meter above ground (QFE) with maximum level speed, may not exceed 65 dB or 78 dB for gyroplanes, measured from ground, unless otherwise provided by the regulations governing aircraft noise. For an aircraft of which at least 51% is built by enthusiasts or a non-profit seeking association for their own purposes and without any commercial objectives that meets the conditions laid down in this paragraph, instrument assessment of noise emission during flight by comparison with another aircraft is permitted.
- (4) Flying over specific areas, that are declared restricted or conditionally restricted areas pursuant to the law, is prohibited.
- (5) Aircraft may fly in uncontrolled airspace class G, as published in AIP Slovenia.
- (6) Aircraft may fly under minimal altitude defined for visual flight in accordance with the regulations governing flights of aircraft, if minimum safe altitude, that ensures safe landing if engine stops operating, is provided. Notwithstanding the above, aircraft must fly at least 300 meters above groups of people and 50 meters above power lines, roads, rails, cableways, antenna systems and other similar facilities, if safe altitude, that ensures safe landing if engine stops operating, is provided.

Article 8

(Flying of aircraft in controlled airspace)

- (1) Flying of aircraft in controlled airspace is prohibited, except for the cases specified in paragraphs 2, 3 and 5 of this Article.
- (2) The competent air traffic service may, in exceptional circumstances, permit flying in a controlled airspace, if exceptional occurrences, during flight in accordance with the regulations governing flights of aircraft, are in place.

- (3) Notwithstanding the provisions of paragraph 1 and 2 of the present Article, flying of aircraft in controlled airspace is permitted in case of the following types of flights:
1. on air shows, provided that the aircraft is equipped with an appropriate radio station;
 2. in the CTR of the airport, where flying of aircraft is governed in an approved manner and in accordance with the conditions for safe flight, when the landing speed of the aircraft is at least 38 knots, provided that the aircraft is equipped with an appropriate radio station and transponder, and the pilot must hold an authorisation for flying in controlled airspace or a private/sports pilot licence (PPL) or higher category; if so provided in approved procedures for safe take-off and landing of a certain airport, transponder is not necessary for flying in the airport zone.
 3. in other parts of controlled airspace if cruising speed of the aircraft exceeds 76 knots, provided that the aircraft is equipped with an appropriate radio station and transponder, if transponder is required according to the airspace classification and the pilot must hold an authorisation for flying in controlled airspace or a private/sports pilot licence (PPL) or higher category.

If any of the conditions shall not be fulfilled, air traffic services provider shall reject the flight plan. Air traffic services provider shall also reject the flight plan when traffic situation, air traffic flow or obligations concerning the control of the airspace of the Republic of Slovenia and the outside borders of the European Union do not allow safe performance of the flight of an aircraft.

- (4) Prior to the flight in controlled airspace, the pilot of the aircraft shall fill in the flight plan to the competent air traffic navigation service. Air traffic navigation services provider shall reject the flight plan and shall not allow the flight of aircraft in controlled airspace if traffic situation in the airspace of the intended flight do not ensure safe performance of the flight.
- (5) Regardless of other provisions of this Article, pilot training in controlled airspace is permitted, if the following conditions are fulfilled:
- Flight instructor holds an authorisation for flying in controlled airspace or at least a private/sports pilot licence (PPL) with authorisation for the type of aircraft,
 - aircraft meets the conditions laid down in the paragraph 3 of this Article,
 - competent air traffic services provider has not rejected the flight plan.

Article 10

(Flight of foreign aircraft)

- (1) Foreign aircraft may fly in the airspace of the Republic of Slovenia, if it holds permission for flying in the Slovene airspace issued by competent air traffic navigation services provider.
- (2) Permission for flying in the Slovene airspace shall be issued pursuant to a flight notification, if the following conditions are fulfilled:
1. aircraft has a flight permit within the meaning of Article 24* of this Regulation, or other relevant document that has been issued by a competent authority of another country for flying of the aircraft in that country;
 2. pilot of the aircraft holds a valid pilot licence for this type of aircraft and the airspace where he intends to fly, that has been issued by a competent authority of a foreign country;
 3. holds an insurance certificate regarding the compulsory insurance, applicable in the territory of the Republic of Slovenia;
 4. aircraft meets the conditions regarding noise emissions in accordance with the paragraph 3 of Article 7 of this Regulation;
 5. aircraft has a radio station certificate, if it is carried on board
 6. aircraft and pilot meet the conditions laid down in the Chapter 5 and 6 of this Regulation;

7. in the application for a flight permit pilot shall make a declaration that he is aware of the flight regulations for the aircraft applicable in the territory of the Republic of Slovenia;
- (3) Competent air navigation services provider shall notify competent air traffic service provider of the Republic of Slovenia, competent state border control service of the Republic of Slovenia and the Ministry of the issue of a permit to fly in the Slovene airspace.

* Article 24 refers to documents regarding establishing aircraft ability to fly such as Airworthiness certificate, Aircraft Permit to Fly, Flight Permit, etc.